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11 *Attorneys for Plaintiff, The Bank of New York Mellon f/k/a The Bank of New York as successor to*  
12 *JPMorgan Chase Bank, not individually but solely as trustee for the holders of the Bear Stearns*  
13 *ALT-A Trust 2004-5, Mortgage Pass-Through Certificates, Series 2004-5*

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 THE BANK OF NEW YORK MELLON F/K/A  
12 THE BANK OF NEW YORK AS  
13 SUCCESSOR TO JPMORGAN CHASE  
14 BANK, NOT INDIVIDUALLY BUT SOLELY  
15 AS TRUSTEE FOR THE HOLDERS OF THE  
16 BEAR STEARNS ALT-A TRUST 2004-5,  
17 MORTGAGE PASS-THROUGH  
18 CERTIFICATES, SERIES 2004-5,

19 Plaintiff,

20 vs.

21 SFR INVESTMENTS POOL 1, LLC;  
22 COPPERHEAD RANCH STREET AND  
23 LANDSCAPE MAINTENANCE  
24 CORPORATION,

25 Defendants.

26 SFR INVESTMENTS POOL 1, LLC

27 Counter/Cross-Claimant,

28 vs.

THE BANK OF NEW YORK MELLON F/K/A  
THE BANK OF NEW YORK AS  
SUCCESSOR TO JPMORGAN CHASE  
BANK, NOT INDIVIDUALLY BUT SOLELY  
AS TRUSTEE FOR THE HOLDERS OF THE

Case No.: 2:17-cv-00256-JCM-NJK

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE  
RESPONSES TO MOTIONS FOR  
SUMMARY JUDGMENT**

**(First Request)**

BEAR STEARNS ALT-A TRUST 2004-5,  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2004-5; SERHIY T.  
BUT, an individual; TETYANA A. BUT, an  
individual,

Counter/Cross-Defendants.

Plaintiff, The Bank of New York Mellon f/k/a The Bank of New York as successor to JPMorgan Chase Bank, not individually but solely as trustee for the holders of the Bear Stearns ALT-A Trust 2004-5, Mortgage Pass-Through Certificates, Series 2004-5 ("BONY"), Defendant/Counter-Claimant, SFR Investments Pool 1, LLC ("SFR"), and Defendant, Copperhead Ranch Street and Landscape Maintenance Corporation ("Copperhead") (collectively the "Parties"), by and through their counsel of record, hereby stipulate and agree as follows:

On November 30, 2017, BONY and SFR filed and served their Motions for Summary Judgment [ECF Nos. 44 & 46], while Copperhead filed its Joinder to SFR's Motion for Summary Judgment on December 11, 2017 [ECF No. 48].

The deadline to file and serve responses to BONY's and SFR's Motions for Summary Judgment is currently December 21, 2017.

The Parties have discussed further extending the deadlines to file their responses. The parties seek an extension to respond to BONY's and SFR's Motion for Summary Judgment because of the Holidays and because of impending deadlines in other matters.

This is the first stipulation for extension of time to respond to BONY's and SFR's Motion for Summary Judgment. The extension is requested in good faith and is not for purposes of delay or prejudice to any other party.

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1 WHEREFORE, based on the foregoing, IT IS HEREBY STIPULATED AND AGREED  
2 that the deadline to file responses BONY's Motion for Summary Judgment [ECF No. 44] and  
3 SFR's Motion for Summary Judgment [ECF No. 46] shall be extended to January 4, 2018.

4 DATED this 21<sup>st</sup> day of December, 2017.

DATED this 21<sup>st</sup> day of December, 2017.

5 WRIGHT, FINLAY & ZAK, LLP

KIM GILBERT EBRON

6 /s/ Michael S. Kelley

/s/ Diana S. Ebron

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14 Mellon f/k/a The Bank of New York as

Las Vegas, Nevada 89139

15 successor to JPMorgan Chase Bank, not

Attorneys for Defendant, SFR Investments

16 individually but solely as trustee for the

Pool 1, LLC

17 holders of the Bear Stearns ALT-A Trust

18 2004-5, Mortgage Pass-Through Certificates,

19 Series 2004-5

20 DATED this 21<sup>st</sup> day of December, 2017.

21 BOYACK ORME & ANTHONY

22 /s/ Edward D. Boyack

23 Edward D. Boyack, Esq.

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Attorneys for Defendant,

Copperhead Ranch Street and

Landscape Maintenance Corp.

**IT IS SO ORDERED.**

DATED December 21, 2017.

  
UNITED STATES DISTRICT JUDGE